

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LEGACY EFFECTS, LLC,

Plaintiff,

v.

JERRY CARTER; et al.,

Defendants.

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Civil Action No. 10-2753 (SRC)

ORDER

CHESLER, District Judge

This matter having come before the Court upon the motion by Plaintiff Legacy Effects, LLC (“Plaintiff”) for the entry of default judgment against Defendants Jerry Carter and Carter & Consultants, LLC (the “Carter Defendants”) pursuant to Federal Rules of Civil Procedure 55 and 37 [docket entry 61]; and the Court having referred the motion to Magistrate Judge Shipp for a Report & Recommendation (“R&R”) pursuant to Federal Rule of Civil Procedure 72(b) and 28 U.S.C. § 636(b)(1); and Judge Shipp having issued an R&R on May 18, 2012 [docket entry 68]; and the Carter Defendants having failed to object to the R&R within the time provided by statute; and the Court having reviewed the R&R; and for the reasons expressed in the Opinion filed herewith, and good cause shown,

IT IS on this 7th day of June, 2012,

ORDERED that Magistrate Judge Shipp’s May 18, 2012 R&R [docket entry 68] is

adopted as the opinion of the Court; and it is further

ORDERED that the motion by Legacy Effects for entry of default judgment against Defendants Jerry Carter and Carter & Consultants, LLC [docket entry 61] be and hereby is **GRANTED**; and it is further

ORDERED that Plaintiff's request for sanctions against the Carter Defendants, pursuant to Rule 16(f)(2), in the form of an order directing the Carter Defendants to pay Plaintiff's reasonable attorneys' fees and expenses associated with its attorney's appearance at an October 19, 2011 conference before the Court be and hereby is **GRANTED**; and it is further

ORDERED that on or before June 21, 2012, Plaintiff shall submit to the Court supplementary written proofs, including attorney billing records, which adequately demonstrate the reasonable attorneys' fees and expenses incurred by Plaintiff in connection with the October 19, 2011 conference; and it is further

ORDERED that, on or before June 21, 2012, Plaintiff shall submit, in writing, any proofs regarding damages as to the Carter Defendants, or in the alternative, make a written request that the Court schedule a proof hearing pursuant to Rule 55(b)(2).

s/Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge